

ORDINANCE NO. _____

1 AN ORDINANCE amending Title 4 of the Lincoln Municipal Code relating to
2 Boards and Commissions by repealing Chapter 4.12, Economic Development Commission,
3 Chapter 4.32, Sports Industry Commission, and Chapter 4.44, Civil Defense Program, as said
4 commissions and program are obsolete.

5 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

6 Section 1. That Chapter 4.12 of the Lincoln Municipal Code be and the same
7 is hereby repealed in its entirety.

8 ~~**4.12.010 — Economic Development Commission; Membership.**~~

9 ~~There is hereby created and established an eleven-member advisory commission to be~~
10 ~~known as the Economic Development Commission. The Mayor shall, after consultation with~~
11 ~~the City Council, submit the names of nominees for selection as members of the commission~~
12 ~~to the City Council for confirmation by a majority vote of the Council. Nominees shall be~~
13 ~~representative of the community with knowledge and experience in the area of economic~~
14 ~~development. The initial term of members appointed to said commission shall be staggered~~
15 ~~so that three members are appointed for a one-year term, four members are appointed for a~~
16 ~~two-year term, and four members are appointed for a three-year term. Thereafter, all members~~
17 ~~of the commission shall be appointed for a three-year term.~~

18 ~~**4.12.020 — Staff Assistance.**~~

19 ~~All necessary secretarial and other staff assistance for the commission shall be provided~~
20 ~~by the Economic Development Division of the Urban Development Department.~~

21 ~~**4.12.030 — Organization.**~~

22 ~~The commission shall annually elect its chairperson and such other officers as it desires~~
23 ~~from among its members, and shall establish its own rules of procedure. The commission~~
24 ~~shall establish such subcommittees as may be deemed necessary. The commission shall meet~~
25 ~~at least every two months. A special meeting of the commission may be called by the~~
26 ~~chairperson, or in the absence of the chairperson, by such other as may be designated by the~~
27 ~~commission, or by any five members of the commission. Six members shall constitute a~~
28 ~~quorum for the transaction of business, and six affirmative votes shall be required for final~~
29 ~~action on any matter acted on by the commission.~~

1 **~~4.12.040 — Duties of the Commission.~~**

2 ~~The Economic Development Commission shall act in an advisory capacity to the Mayor~~
3 ~~and City Council and shall be charged with the responsibility to provide advice and~~
4 ~~recommendations to the Mayor and City Council with regard to economic conditions within~~
5 ~~the City of Lincoln and environs. In this regard, the commission shall, either at the request of~~
6 ~~the Mayor and City Council, or on its own motion, provide advice and information on:~~

- 7 ~~—— (a) — Current economic conditions;~~
8 ~~—— (b) — Proposals for improving the measurement of unemployment and other economic~~
9 ~~indicators;~~
10 ~~—— (c) — Needed job skills in the City of Lincoln and environs;~~
11 ~~—— (d) — Prospective new industries which may find locational advantages in Lincoln and~~
12 ~~techniques for attracting such new industries;~~
13 ~~—— (e) — Business retention policies and programs;~~
14 ~~—— (f) — Programs and policies encouraging the expansion of existing businesses and~~
15 ~~industries;~~
16 ~~—— (g) — Programs to encourage commercial development;~~
17 ~~—— (h) — Any other related issues or programs which could lead to improved economic~~
18 ~~conditions in the City of Lincoln and environs.~~

19 Section 2. That Chapter 4.32 of the Lincoln Municipal Code be and the same
20 is hereby repealed in its entirety.

21 **~~4.32.010 — Sports Industry Commission.~~**

22 ~~There is hereby created and established a fifteen member advisory commission to be~~
23 ~~known as the Sports Industry Commission. The Mayor shall, after consultation with the City~~
24 ~~Council, submit the names of nominees for selection as members of the commission to the~~
25 ~~City Council for confirmation by a majority vote of the council. Of the fifteen members at~~
26 ~~least one shall be a representative of the State Fair Park, one shall be a representative of the~~
27 ~~City of Lincoln Parks and Recreation Department, one shall be a representative of the City of~~
28 ~~Lincoln Economic Development Division, one shall be a representative of the Lancaster~~
29 ~~County Convention and Visitors Bureau, one shall be a representative of the Lancaster County~~
30 ~~Visitors Promotion Committee, one shall be a representative of the University of Nebraska,~~
31 ~~one shall be a representative of the Chamber of Commerce, one shall be a representative of~~
32 ~~the Lincoln Public Schools, and one shall be a representative of Pershing Auditorium. The~~
33 ~~initial term of the members appointed to said commission shall be staggered so that five~~
34 ~~members are appointed for a one-year term, four members are appointed for a two-year term,~~
35 ~~and four members are appointed for a three-year term. Thereafter, all members of the com-~~
36 ~~mission shall be appointed for a three-year term.~~

37 **~~4.32.020 — Secretarial and Staff Assistance.~~**

38 ~~Secretarial and other staff assistance for the commission shall be provided by the Eco-~~
39 ~~nomic Development Division of the Mayor's Department.~~

1 **~~4.32.030 — Rules of Procedure.~~**

2 ~~———— The commission shall annually elect its chairperson and such officers as it desires from~~
3 ~~among its members, and shall establish its own rules of procedure. The commission shall~~
4 ~~establish such subcommittees as may be deemed necessary. The commission shall meet every~~
5 ~~month. A special meeting of the commission may be called by the chairperson, or in the~~
6 ~~absence of the chairperson, by such other as may be designated by the commission, or by any~~
7 ~~four members of the commission. Eight members shall constitute a quorum for the transaction~~
8 ~~of business, and eight affirmative votes shall be required for final action on any matter acted~~
9 ~~on by the commission.~~

10 **~~4.32.040 — Duties of the Commission.~~**

11 ~~———— The Sports Industry Commission shall act in an advisory capacity to the Mayor and City~~
12 ~~Council and shall be charged with the responsibility to provide advice and recommendations~~
13 ~~to the Mayor and City Council with regard to attracting, coordinating, hosting, and assisting~~
14 ~~sporting events. The purposes of the commission shall be to:~~

15 ~~———— (a) — Coordinate and facilitate among appropriate parties the scheduling and use of~~
16 ~~facilities and resources in Lincoln/Lancaster County for sports events; —————~~

17 ~~———— (b) — Communicate to appropriate parties information regarding the scheduling of use~~
18 ~~of such facilities and resources;~~

19 ~~———— (c) — Recommend to the Mayor and City Council and other appropriate parties~~
20 ~~policies, administrative procedures, facility enhancements, or other suggestions that will~~
21 ~~facilitate the holding of sports activities which benefit Lincoln's economy;~~

22 ~~———— (d) — Co-sponsor, when requested and when appropriate, sports events with private~~
23 ~~citizens and organizations;~~

24 ~~———— (e) — Assist with the recruitment of sports events to Lincoln;~~

25 ~~———— (f) — Facilitate the process of granting approvals, permits, etc. for sports events.~~

26 Section 3. That Chapter 4.44 of the Lincoln Municipal Code be and the same
27 is hereby repealed in its entirety.

28 **~~4.44.010 — Civil Defense Program Adopted; Services.~~**

29 ~~———— (a) — A civil defense program for the City of Lincoln, Nebraska, to be provided in~~
30 ~~cooperation with the County of Lancaster, Nebraska, and designated as "Lincoln-Lancaster~~
31 ~~County Civil Defense" is hereby established and adopted and the office of Director of Civil~~
32 ~~Defense is hereby created. The Director of Civil Defense and the Deputy Director shall be~~
33 ~~appointed by the Mayor with the approval of the City Council and the affirmative vote of a~~
34 ~~majority of the Board of Commissioners of Lancaster County.~~

35 ~~———— (b) — The civil defense program is hereby divided into the following principal~~
36 ~~services, designated as follows:~~

37 ~~———— (1) — Fire service;~~

38 ~~———— (2) — Law enforcement service;~~

39 ~~———— (3) — Public works service;~~

40 ~~———— (4) — Health and medical service;~~

- ~~————— (5) ——— Welfare service;~~
~~————— (6) ——— Chaplaincy service;~~
~~————— (7) ——— Shelter service;~~
~~————— (8) ——— Public information service;~~
~~————— (9) ——— Communications service; and~~
~~————— (10) ——— Disaster analysis service.~~

~~————— The Director may set up such other services as he may deem necessary, subject to the prior approval of the Mayor, City Council, and County Board of Commissioners.~~

~~4.44.020 ——— Emergency Service Outside City Limits. ———~~

~~————— As required by the provisions of Neb. Rev. Stat. § 81-829.65 (Reissue 1987), any or all of the fire and other emergency equipment and personnel of the City of Lincoln shall be moved outside of the city limits in order to render aid in the event of major or civil defense emergency as such term is defined in subdivision (2) of Neb. Rev. Stat. § 81-829.39 (Reissue 1987), or in connection with any program of practice or training for such disaster or civil defense emergency when such program is conducted or participated in by the Civil Defense Agency of the State of Nebraska.~~

~~4.44.030 ——— Mayor in Charge; Responsibilities of Civil Defense Director; Division Officers. ———~~

~~————— The Mayor shall have general responsibility for the civil defense program within the city. The Director of Civil Defense shall have direct charge, supervision, and control of and shall be responsible for the carrying out and execution of the civil defense program and all activities in connection therewith.~~

~~————— Each service shall be under the direct charge and management of one or more division officers appointed by the Director of Civil Defense with the approval of the Advisory Defense Council. The division officers shall be subject to the supervision and control of and shall be responsible to the Director of Civil Defense.~~

~~4.44.040 ——— Appointment of Division Officers. ———~~

~~————— Immediately upon taking effect chapter, the Director of Civil Defense shall with the approval of the Advisory Defense Council appoint such division officers as he shall deem necessary to carry out and execute such civil defense program, and at the time of appointment shall designate the division or activity within which such division to which appointee is assigned.~~

~~————— Such division officer shall serve at the pleasure of the Director of Civil Defense or until the repeal of this chapter. Appointments to fill vacancies in said divisions shall be made by the Director of Civil Defense with the approval of the Advisory Defense Council.~~

~~4.44.050 ——— Administration. ———~~

~~————— The Director of Civil Defense and the division officers shall have full and complete power to accept and utilize gratuitous services of such persons as volunteer as may be necessary to carry out the civil defense program. These persons shall be subject to all regulations provided by law.~~

1 ~~Committees to facilitate the operation of any division and to aid in the discharge of its~~
2 ~~duties may be created in any division at any time by the Director of Civil Defense subject to~~
3 ~~the prior approval of the Mayor.~~

4 ~~Except for the Director and his office staff, any and all persons appointed or serving~~
5 ~~under the provisions of this chapter in the civil defense program shall serve without~~
6 ~~compensation therefor; provided, however, that subject to prior authorization of the Mayor~~
7 ~~such persons may be reimbursed for their actual and necessary traveling and other expenses~~
8 ~~incurred in connection with the carrying out of the purposes of the civil defense program.~~

9 **~~4.44.060 Director of Civil Defense; Powers and Duties.~~**

10 ~~The Director of Civil Defense shall have the following powers and duties:~~

11 ~~(a) To keep the Mayor fully informed concerning defense activities and the needs~~
12 ~~in the city, and requirements necessary to coordinate the city's defense activities with activities~~
13 ~~of other civil defense organizations;~~

14 ~~(b) To cooperate with the Nebraska Advisory Defense Committee and with the~~
15 ~~Advisory Commission to the Council of National Defense through its division of state and~~
16 ~~local cooperation or with any departments or other federal or state agencies engaged in~~
17 ~~defense activities; and see that all requests and suggestions receive prompt and efficient~~
18 ~~attention;~~

19 ~~(c) To cooperate with similar defense committees or councils of other cities or of~~
20 ~~counties;~~

21 ~~(d) To supervise and direct surveys, and report to the Mayor with recommendations~~
22 ~~for legislation or other appropriate action as he may deem necessary for the purpose of~~
23 ~~developing an adequate defense plan for the City of Lincoln, including but not limited to the~~
24 ~~following matters insofar as they are or may be related to defense:~~

25 ~~(1) Industrial materials and facilities;~~

26 ~~(2) Production and manufacturing facilities;~~

27 ~~(3) Agriculture, food supply, and land use;~~

28 ~~(4) Transportation facilities;~~

29 ~~(5) Labor supply and training, labor relations and human resources,~~
30 ~~professions, trades, and skills;~~

31 ~~(6) Consumers and consumer protection;~~

32 ~~(7) Housing and related facilities;~~

33 ~~(8) Health, hospital, and sanitation facilities;~~

34 ~~(9) Welfare;~~

35 ~~(10) Educational facilities;~~

36 ~~(11) Recreational areas and facilities;~~

37 ~~(12) Finance; and~~

38 ~~(13) Any other type of activity directly or indirectly related to defense.~~

39 ~~(e) To do all acts and things not inconsistent with law for the furtherance of defense~~
40 ~~activities;~~

41 ~~(f) With review by the Advisory Defense Council and the approval by the Mayor,~~
42 ~~to promulgate such rules and regulations as may be deemed necessary for protection. The~~
43 ~~rules and regulations as approved by the Mayor shall be filed in the office of the City Clerk~~

1 and shall become effective upon such filing. A violation of such rules and regulations after
2 filing with the City Clerk shall constitute a violation of this chapter;

3 ~~—— (g) — To perform such other advisory functions as may be required by agencies or~~
4 ~~departments of the state and federal governments in connection with the prosecution of the~~
5 ~~defense effort;~~

6 ~~—— (h) — To do whatever is necessary and proper to carry out the intent and purpose of~~
7 ~~this chapter, tending to protect life and property.~~

8 **~~4.44.070 — Division Officers; Duties.~~**

9 ~~—— The division officers shall carry out, execute, and implement all plans and activities as~~
10 ~~outlined by the Director of Civil Defense, and shall make such recommendations to the~~
11 ~~Director of Civil Defense as to them seem expedient for an adequate plan of defense and for~~
12 ~~the efficient and effective operation of the civil defense program. Each division officer shall~~
13 ~~be responsible for and shall proceed with: (a) the organization and training of volunteers; (b)~~
14 ~~the formation of a plan for his division; (c) be custodian of all property assigned for the use of~~
15 ~~his division; and (d) shall plan rehearsals of the division plan.~~

16 **~~4.44.080 — Cooperation.~~**

17 ~~—— The Director of Civil Defense and the division officers are directed to utilize the~~
18 ~~services and facilities of existing officers, offices, and departments of the city and all such~~
19 ~~officers and agencies and shall cooperate with and extend their services and facilities to the~~
20 ~~director and division officers and to committees created in any division as shall be requested~~
21 ~~by the Director or division officers.~~

22 **~~4.44.090 — Advisory Defense Council; Appointment of Members.~~**

23 ~~—— There shall be an Advisory Defense Council for the Lincoln-Lancaster County Civil~~
24 ~~Defense to be composed of not less than twelve nor more than fifteen electors of Lancaster~~
25 ~~County, who shall serve without compensation. The members of the Advisory Defense~~
26 ~~Council shall be appointed by the Mayor with approval of the City Council and the affirmative~~
27 ~~vote of a majority of the Board of Commissioners of Lancaster County, to serve for terms of~~
28 ~~three years each, commencing on the first day of July in the year in which appointed; provided~~
29 ~~that for the terms commencing July 1, 1961, one-third of the members shall be appointed for~~
30 ~~a term of one year, one-third of the members shall be appointed for a term of two years, and~~
31 ~~the remaining members shall be appointed for a term of three years, and thereafter their~~
32 ~~successors shall be appointed for a term of three years. The membership of the Advisory~~
33 ~~Defense Council shall always include one member of the City Council and one member of~~
34 ~~the County Board of Commissioners. In addition, one member of the City Council shall serve~~
35 ~~as a nonvoting member of the Advisory Defense Council. Appointments to fill vacancies on~~
36 ~~the Advisory Defense Council shall be made in the same manner as original appointments.~~

37 **~~4.44.100 — Advisory Defense Council; Powers and Duties.~~**

38 ~~—— Immediately upon appointment as hereinbefore provided, and in July of each year~~
39 ~~thereafter, said Advisory Defense Council shall meet and organize, and from its membership~~

1 shall select a chairman, a vice chairman, and such other officers as is deemed necessary for
2 the conduct of its business. No chairman shall succeed himself.

3 ~~———— The Advisory Defense Council shall have the power to adopt, amend, and repeal rules~~
4 ~~and regulations and bylaws governing its procedure and activities.~~

5 **~~4.44.110 — Advisory Defense Council; Advisory to Mayor.~~**

6 ~~———— The Advisory Defense Council shall act in an advisory capacity to the Mayor. Said~~
7 ~~Council, on its own initiative or at the request of the Mayor, shall investigate, consider, and~~
8 ~~make recommendations to the Mayor for legislation or other appropriate action concerning~~
9 ~~matters that are or may be related to civil defense, as it may deem necessary or advisable to~~
10 ~~aid and further the carrying out and execution of the civil defense program and the~~
11 ~~coordination of the activities of all agencies cooperating in the civil defense program.~~

12 **~~4.44.120 — Gifts and Gratuities.~~**

13 ~~———— Gifts and gratuities of money and property for the use and benefit of the civil defense~~
14 ~~program may be received by the Mayor and applied by the Mayor and Director of Civil~~
15 ~~Defense toward the execution of the civil defense program.~~

16 **~~4.44.130 — Expenditures.~~**

17 ~~———— Except in accordance with the provisions of the Charter of the City of Lincoln, no~~
18 ~~person shall have any right to expend any funds of the city in connection with the civil~~
19 ~~defense program, nor shall any person have any right to bind the city by contract, agreement,~~
20 ~~or otherwise. All funds of the city expended in connection with the civil defense program,~~
21 ~~and all contracts, agreements, and other obligations of the city shall be made and entered into~~
22 ~~as provided by law. Subject to the prior approval of the Mayor, such persons as may be~~
23 ~~necessary to carry out the activities and functions of the civil defense program may be~~
24 ~~employed by the Director of Civil Defense. The Director and his office staff shall be under~~
25 ~~the administrative control of the County of Lancaster.~~

26 Section 4. That this ordinance shall take effect and be in force from and after
27 its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2001:

Mayor